

Exhibit 9

MARIA MUNOZ
FISCHER, et al. -against- GEICO

December 17, 2024
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<p>1 UNITED STATES DISTRICT COURT 2 EASTERN DISTRICT OF NEW YORK 3 -----X 4 KEITH FISCHER, MICHAEL O'SULLIVAN, 5 JOHN MOESER, LOUIS PIA, THOMAS 6 BARDEN, CONSTANCE MANGAN, and 7 CHARISE JONES, individually and on behalf 8 of all others similarly situated, 9 Plaintiffs, 10 Case No.: 11 2:23 Civ. 2848 12 (GRB)(ARL) 13 -against- 14 15 GOVERNMENT EMPLOYEES INSURANCE 16 COMPANY d/b/a GEICO, 17 Defendants. 18 -----X 19 20 DEPOSITION OF 21 MARIA MUNOZ 22 23 Tuesday, December 17th, 2024 24 25 New York, New York 26 Reported By: 27 28 Marina Dubson 29 30 Job #: J12144279 31</p>	<p>1 APPEARANCES: 2 3 OUTTEN & GOLDEN, LLP 4 Attorney for Plaintiffs 5 685 Third Avenue, 25th Floor, 6 New York, New York 10017 7 (212) 245-1000 8 BY: SABINE JEAN, ESQ. 9 Sjean@outtengolden.com 10 JARRON MCALLISTER, ESQ. 11 Jmcallister@outtengolden.com 12 13 14 15 16 DUANE MORRIS, LLP 17 Attorney for Defendant 18 1540 Broadway, 14th Floor, 19 New York, New York 10036 20 (212)471-1856 21 BY: GREG SLOTNICK, ESQ. 22 Gsslotnick@duanemorris.com 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 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2 attorneys and attempt to settle the bodily
3 injury claims with the attorneys.
4 Sometimes they were direct with people, but
5 over 90 percent of the time, there were
6 attorneys involved.
7 Q. And what was your next position
8 with Geico?
9 A. Then I went to the continuing
10 unit, which is CU.
11 Q. And what is the continuing
12 unit?
13 A. The highest level of claims.
14 Q. What do you mean by highest
15 level of claims?
16 A. Those cases were also bodily
17 injury claims for claimants with attorneys,
18 but it would be higher policy limits and
19 more extensive injuries.
20 Q. Were there thresholds that
21 would move cases into the CU?
22 A. Yes.
23 Q. Okay. Do you recall what those
24 were?
25 A. I -- no. Offhand, I don't.

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1 M. Munoz
2 Q. And did the day-to-day job
3 duties differ significantly from your job
4 as TA2?
5 A. Not significantly.
6 Q. How did they differ?
7 A. Well, first off, when I was in
8 TA2 and CU, I handled Upstate New York
9 claims. They also had a separate
10 department. So, when I came into CU,
11 you're expected to go to court when these
12 cases would go to court. So, they would
13 send me Upstate to go settle the claims or
14 attempt to settle claims.
15 Q. Got it. And was that a mostly
16 field-based role or was that a desk --
17 A. No, predominantly desk.
18 Q. So, were you doing the actual
19 investigations in that role?
20 A. No.
21 Q. It was mostly focused on
22 negotiations with the attorneys and the
23 injured; is that right?
24 A. Correct.
25 Q. And when you say Upstate New

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1 M. Munoz
2 York, what general geographic area do you
3 mean?
4 A. I remember Buffalo, Rochester,
5 that area.
6 Q. Do you recall if you generally
7 took the company car up there or did you go
8 by some other method?
9 A. No, they flew me.
10 Q. Did you still have a company
11 car at that time?
12 A. No.
13 Q. So, for the office-based roles,
14 you no longer had a company car; is that
15 right?
16 A. Correct.
17 Q. And after the CU position, what
18 role did you work in at Geico?
19 A. I got the job in SIU.
20 Q. And I believe you said earlier
21 that that was in 2015; is that right?
22 A. Correct.
23 Q. And when you say the job, could
24 you give me details of what the actual
25 title was when you first started in SIU?

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1 M. Munoz
2 A. A field investigator.
3 Q. Did you apply for that role?
4 A. Yes.
5 Q. Do you prefer working in the
6 field to working at a desk?
7 MS. JEAN: Objection.
8 THE WITNESS: Yes.
9 BY MR. SLOTNICK:
10 Q. And why is that?
11 MS. JEAN: Objection.
12 THE WITNESS: I like something
13 different every day.
14 BY MR. SLOTNICK:
15 Q. And who was your supervisor
16 when you first joined the SIU?
17 A. Dara Campbell, I believe.
18 Dara, D-A-R-A.
19 Q. And who was your manager at the
20 time?
21 A. That would be Michael DeGrocco.
22 Q. And what did the field
23 investigator SIU role generally entail in
24 terms of your job duties?
25 A. I would be assigned cases, and

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1 M. Munoz
2 I was to investigate them for aspects of
3 fraud.
4 Q. And what type of cases were you
5 assigned at the time?
6 A. Would have been auto damage,
7 like something with the vehicles, or it
8 could have been injury cases.
9 Q. Do you recall how the SIU was
10 organized at that time?
11 A. In what regard?
12 Q. Were there regions in the SIU
13 at the time?
14 A. Well, there was regions within
15 the company.
16 Q. So, companywide regions?
17 A. Correct.
18 Q. Do you recall what region you
19 were in?
20 A. Region 2.
21 Q. And what geographic area did
22 Region 2 encompass?
23 A. New York.
24 Q. Anywhere else?
25 A. We might have also handled

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1 M. Munoz
2 other states, but I don't recall. It was
3 predominantly New York.
4 Q. Did you ever work in any other
5 region?
6 A. Not -- in a -- no.
7 Q. Is Geico SIU currently
8 organized into regions?
9 A. No.
10 Q. When did that change, if you
11 recall?
12 A. I believe sometime at the end
13 of 2022 or in 2023.
14 Q. Do you know why that change
15 occurred?
16 A. I don't know exactly why, no.
17 Q. And so in 2015, you worked as a
18 field investigator, correct?
19 A. For the SIU department?
20 Q. Yes.
21 A. Yes.
22 Q. And what were the -- do you
23 know if there were any requirements for
24 that position?
25 A. Education background. There

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1 M. Munoz
2 were others. I just don't remember what
3 they were.
4 Q. And what do you mean by
5 background?
6 A. Well, I meant the background of
7 your education. So, I had a criminal
8 justice degree, so I know that checked off
9 a box for me.
10 Q. And do you recall what your
11 scheduled weekly work hours were when you
12 first started?
13 A. It was 38.75 hours per week.
14 Q. And you said that your
15 supervisor was Dara Campbell; is that
16 right?
17 A. Correct.
18 Q. And in your role as a field
19 investigator in SIU, did you ever work in
20 an office?
21 A. At any point?
22 Q. Yes.
23 A. Yes.
24 Q. How often did you work in the
25 office?

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1 M. Munoz
2 A. Not often.
3 Q. Could you approximate what you
4 mean by that?
5 A. I would only be in the office
6 if I was called for a meeting or if there
7 was some kind of function going off -- on
8 in the office.
9 Q. Is it correct that your
10 day-to-day would be in the field?
11 A. Field or at home, yes.
12 Q. What percentage of the time
13 would you approximate you were in the field
14 versus working at home?
15 A. It varies.
16 Q. What is the variation based on?
17 A. The caseload, what type of case
18 I got, the traffic.
19 Q. Did you ever have a desk-based
20 investigator role in SIU?
21 A. Not primarily, no.
22 Q. Do those exist in SIU?
23 A. Yes.
24 Q. And did you have a set schedule
25 when you started working in SIU?

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1 M. Munoz
2 would have been told, okay, if you do that
3 on Saturday, you have to make up the time
4 within a time period to make it for the
5 workweek, if that makes sense.
6 Q. And that's within the same
7 workweek or pay period practice that we
8 talked about earlier?
9 A. Correct.
10 Q. Do you remember if any of your
11 supervisors actually told you that, that
12 that was the policy?
13 A. Again, the one that I remember
14 speaking about it at some point was
15 April Neyland. Yeah. Sorry.
16 Q. Do you remember how many times
17 you spoke with April about flex time?
18 A. No.
19 Q. Did April allow flex time?
20 A. Yes.
21 Q. Did you ever request flex time
22 with any of your other supervisors that
23 we've talked about?
24 A. Possibly.
25 Q. Do you recall if they also

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1 M. Munoz
2 allowed you to use flex time?
3 A. Yes.
4 Q. Yes, as in they did allow it?
5 A. Yes.
6 Q. Were you assigned specific
7 types of claims to investigate when you
8 were not working on the theft team in
9 New York?
10 A. Yes.
11 Q. And what types of claims were
12 you assigned?
13 A. I would work any and all of the
14 claims assigned to me so they could deal
15 with the vehicles, like auto damage, body
16 shops, injury claims.
17 Q. Can you describe what you mean
18 by body shop claims?
19 A. So, sometimes an investigation
20 would lead to possibly -- or suspicion of
21 the body shop maybe enhancing damage on
22 a -- on a vehicle that was brought in
23 there. That could be an example of a shop
24 case.
25 Q. Those are called shop cases?

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1 M. Munoz
2 A. Between us investigators, yes.
3 Q. And when you say vehicle cases,
4 what did you mean by that?
5 A. Anything relating to the
6 property damage, collision damage.
7 Anything relating to the vehicle and an
8 accident.
9 Q. And what was your role in
10 investigating these cases? Like could you
11 walk me through what your day-to-day
12 responsibilities were?
13 A. I would check my e-mails,
14 that's how you would find your assignments,
15 which would also come into a separate SIU
16 system called SICM, S-I-C-M. So, you would
17 look over your -- your e-mails. I would
18 look over my e-mails, look over the cases I
19 received.
20 Then at that point, I could
21 also -- I would run backgrounds, review
22 over the claim file itself because that's a
23 different system, which at this point is
24 called ATLAS, A-T-L-A-S.
25 I would review SICM for any

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1 M. Munoz
2 prior SIU cases relating to the policy,
3 review over the policy itself. And after
4 my backgrounds and reviews were done, I
5 would determine what field work would be
6 needed.
7 Q. And what were the different
8 types of field work that you would perform?
9 A. From when I started SIU up till
10 today?
11 Q. Yes.
12 A. I go to precincts still
13 sometimes to obtain police reports or
14 attempt to, to speak to police officers
15 and/or detectives. I go to accident scenes
16 to look for video footage, camera footage
17 or witnesses. I knock on doors of people's
18 houses or businesses to get that footage.
19 Sometimes I'm -- I will take
20 statements in person from people.
21 Sometimes I look for stolen vehicles. I
22 also am able to perform what's called an
23 event data recorder, EDR for short, on
24 vehicles, which pulls crash data. Go to
25 body shops. And I might have forgot some

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1 M. Munoz
2 other things I do, but that's the gist.
3 Q. And have you performed all of
4 those job duties throughout your time at
5 SIU?
6 A. Not the whole time.
7 Q. When you say not the whole
8 time, what do you mean by that?
9 A. Well, the one thing that sticks
10 out is the EDR. I just became certified or
11 trained in that within past year or two,
12 maybe more. I'm not sure on the exact
13 date. But that wasn't my whole -- I -- I
14 wasn't doing that the whole time.
15 Q. Is that something that you
16 voluntarily decided to -- to learn or was
17 that a requirement for your job?
18 A. When I first got it, I was
19 strongly advised to do it. And so I did.
20 Q. What do you mean by strongly
21 advised?
22 A. I was just told, we have this
23 opportunity of a machine and the training,
24 I think you should take it. That's pretty
25 much it.

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1 M. Munoz
2 Q. And who told you that?
3 A. Gerry Cassagne.
4 Q. And was this while Gerry was
5 still a Geico employee or had he left
6 already?
7 A. Yes, he was a Geico employee.
8 Q. And what exactly does checking
9 an EDR involve? Like are you physically
10 going to the car itself to --
11 A. Yes.
12 Q. Okay. Can you describe just
13 generally what that means?
14 A. So, I have to speak to the
15 owner of the vehicle, which you need to get
16 the owner's permission to do so. So, I
17 speak to them, I explain what it is, what I
18 am attempting to pull from the vehicle. I
19 send them an authorization, they sign it.
20 Then I will either go meet them
21 at their home, their job or the vehicle at
22 the body shop, wherever the car is. And
23 then I -- there's two machines. There's a
24 CAN Plus, C-A-N, P-L-U-S, and a CDR, which
25 is crash data retrieval, C-D-R, 900.

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1 M. Munoz
2 So, dependent upon which
3 machine the vehicle takes, I use that. I
4 plug into the OBD, which I don't know that
5 acronym, something diagnostic underneath
6 the steering wheel. Plug it in, put it
7 onto my computer, and then it pulls the VIN
8 and pulls all the crash data. And then I
9 get a report.
10 Q. Approximately how long does the
11 EDR process take on a given car?
12 A. Well, on average, I tell people
13 it will take five to ten minutes. There
14 have been circumstances where it's taken 30
15 to 40.
16 Q. What circumstances lead to EDRs
17 taking longer?
18 A. Some, just computer
19 malfunctions. Doesn't connect, I have to
20 reboot my computer, start it again.
21 Sometimes the software needs to be updated
22 or reprogrammed. It's a lot of trial and
23 error, which I've learned sometimes the car
24 has to be on, sometimes it has to be off.
25 Sometimes it has to be on auxiliary.

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1 M. Munoz
2 Q. And would you say that most
3 field investigators are EDR trained?
4 A. At this point?
5 Q. Yes.
6 A. The New York field
7 investigators are.
8 Q. And when you say New York field
9 investigators, are you saying that all of
10 them are trained in it?
11 A. The -- yes. The -- the ones --
12 my co-workers currently now that are field
13 investigators are all trained in the EDR.
14 Q. Do you know if desk
15 investigators are trained in EDR?
16 A. They are not.
17 Q. And just to jump back to the
18 types of claims that you're investigating,
19 we're talking about vehicles, body shop
20 cases, injury cases.
21 How did you receive those
22 assignments? So, you mentioned that they
23 would be in an e-mail form or SICM; is that
24 right?
25 A. Well, both.

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1 M. Munoz
2 Q. Okay. So, would you -- is --
3 is there a method to assigning cases to
4 investigators in SIU?
5 A. At this point, now we have a
6 team that's called risk, and they figure
7 out what cases. I don't know their
8 process. We used to have certain people
9 that that was their only job when we were a
10 region, like Region 2, and they used to
11 hand out -- like send out the cases.
12 Q. Do you know how long the risk
13 team has been in place?
14 A. Approximately a year.
15 Q. And so prior to the last year
16 around, you were assigned cases by
17 individuals who would distribute cases to
18 investigators; is that correct?
19 A. Yes.
20 Q. Do you know what they would use
21 to make those determinations for
22 distribution?
23 A. I don't.
24 Q. Do you know who those
25 individuals were that distributed cases to

Page 78

1 M. Munoz
2 you?
3 A. I don't remember their names.
4 Q. Do you remember what their job
5 title was?
6 A. It's like on the tip of my
7 tongue. I don't. I'm sorry.
8 Q. And how long did it take you to
9 investigate a given fraud claim?
10 A. I mean, it varies.
11 Q. What does it vary based on?
12 A. It depends what type of case it
13 was, if it needed an Examination Under
14 Oath, also known as an EUO.
15 Q. Does it vary based on anything
16 else?
17 A. I mean, yeah. There -- there
18 could be other circumstances. Sometimes
19 things come up in the investigation. Maybe
20 you want to meet with somebody and take a
21 statement from them, but their schedule
22 doesn't allow you to meet with them when
23 you want to.
24 Q. And when you say investigation
25 or -- strike that.

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1 M. Munoz
2 When you say Examination Under
3 Oath, is that something that you've been
4 doing since the beginning in SIU?
5 A. Yes.
6 Q. Did you do that when you were
7 on the theft specialty team as well?
8 A. Yes.
9 Q. What does an EUO generally
10 mean?
11 A. It's an Examination Under Oath.
12 So, the person that I request to come in
13 gives a statement under oath, kind of like
14 today's settings, with a court reporter.
15 They used to be in person, but now we do
16 them via Zoom unless the need is to do it
17 in person.
18 Q. When did you start conducting
19 them via Zoom?
20 A. In 2020. And Zoom isn't the
21 actual platform, we use Webex.
22 Q. Videoconference?
23 A. Yes.
24 Q. Okay.
25 A. I am not a fan. So, that's why

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1 M. Munoz
2 it just doesn't...
3 Q. Why are you not a fan?
4 A. I like in-person statements
5 better. I think that you get a better
6 response.
7 Q. And you said that you still
8 perform some EUOs in person based on the
9 case circumstances?
10 A. Correct.
11 Q. Approximately what percent are
12 done in person versus by web conference
13 currently?
14 A. Currently, the percentage, I
15 mean, less than -- for me, less than ten
16 percent.
17 Q. And before 2020, did you take
18 any EUOs by web conference or they were all
19 in person?
20 A. All in person.
21 Q. Do you know if that was a
22 change that came about based on COVID-19?
23 A. It was.
24 Q. Okay. In terms of the --
25 jumping back to the New York theft

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81-84

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1 M. Munoz
2 specialty team, do you recall who was a
3 part of that team with you?
4 A. Joe Krattinger,
5 K-R-A-T-T-I-N-G-E-R, Al Brust. And this --
6 hold on one second. He quit, this guy. I
7 can't remember his name. I could see his
8 face. Ted Wendling. I'm not really sure
9 how to spell his name. I think it was just
10 the four of us. There might have been
11 someone else, but that's who I remember.
12 Q. And did those members change
13 over time, or was that the group throughout
14 the time you worked on the New York theft
15 team?
16 A. I believe we were just the one
17 group.
18 Q. And did you only receive theft
19 cases while on that team?
20 A. I don't want to say only
21 because there's a possibility I got others,
22 but that was my main role.
23 Q. Can you describe generally what
24 the theft team encompassed, like what theft
25 cases were?

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1 M. Munoz
2 A. Uh-huh. So, we handled any
3 reports with the suspicion of fraud on a
4 stolen vehicle if an insured reported their
5 vehicle was stolen.
6 Q. So, it was a vehicle-based
7 team, correct?
8 A. Correct.
9 Q. And what was different about
10 working on the theft team compared to what
11 you were doing previously?
12 A. Well, it was predominantly
13 every day, I knew what kind of cases I was
14 getting. I had made many contacts with the
15 police departments during that time period
16 because I had to deal with the police a
17 lot. The Examinations Under Oath lessened.
18 Q. Do you know why that was the
19 case?
20 A. Well, because most of my EUOs
21 prior to that time were for injury cases,
22 and I wasn't handling those.
23 Q. Do you know what the goals
24 were -- of the specialty theft team were,
25 if any?

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1 M. Munoz
2 A. The exact goals, no.
3 Q. The general goals?
4 A. The goals changed so much, I
5 don't remember what they were at that time.
6 Q. What do you mean that the goals
7 changed so much?
8 A. Every year, it changes. Like
9 what our metrics are, what the goals are.
10 Q. What do you mean by metrics?
11 A. Metrics is how they rate us on
12 our report cards.
13 Q. And when you say report cards,
14 could you describe what you mean?
15 A. So, basically like when you're
16 in school and you get a grade, it's kind of
17 your grading within the department. And
18 then your grade at the end of the year will
19 be how your merit increase would be. It
20 would be -- coincide with each other.
21 Q. And did you have specific
22 performance metrics that applied to you
23 while you were on the New York theft team?
24 A. I am sure I did, yes.
25 Q. Do you remember what they were?

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1 M. Munoz
2 A. No.
3 Q. Do you know what your current
4 performance metrics are?
5 A. Yes.
6 Q. What are they?
7 A. I am rated on my file audits,
8 case life and productivity.
9 Q. Can you describe what you mean
10 by file audits?
11 A. So, we have an audit team who
12 audits the SIU department. And I don't
13 know the number, it's based on your hours
14 worked per month of how many audits you
15 get. So, it's a grade for your case. They
16 take a case, and they grade it.
17 Q. Do you know what they grade it
18 based on?
19 A. Oh, yeah. There -- I mean,
20 there's many different things. I mean, it
21 goes from the investigative quality up
22 until did you upload a document that was
23 supposed to be uploaded. I mean, there's
24 many other factors.
25 Q. And you mentioned case life.

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97-100

<p style="text-align: right;">Page 97</p> <p>1 M. Munoz</p> <p>2 would say that there was somewhere between</p> <p>3 25 to 40 field investigators handling the</p> <p>4 same territory we're handling now.</p> <p>5 Q. Were they all reporting to the</p> <p>6 same supervisor that you were?</p> <p>7 A. That one specific, no.</p> <p>8 Q. Do you know how many different</p> <p>9 supervisors those 25 to 40 people reported</p> <p>10 to?</p> <p>11 A. I -- when I started, I know</p> <p>12 there was Dara Campbell, Tony D'Agata,</p> <p>13 Gerry Cassagne. There was another guy, I</p> <p>14 think his name was Rich. Not really sure.</p> <p>15 I never reported to him. And there were</p> <p>16 others -- oh, Rich Killigan. Killigan was</p> <p>17 his last name. And I would say anywhere</p> <p>18 from my start, there was five to maybe</p> <p>19 seven SIU supervisors.</p> <p>20 Q. Do you know approximately how</p> <p>21 many people each of those supervisors</p> <p>22 supervised?</p> <p>23 A. I'd say there was seven --</p> <p>24 there could be seven to ten people on a</p> <p>25 team possibly at any given time.</p>	<p style="text-align: right;">Page 99</p> <p>1 M. Munoz</p> <p>2 A. That's the most I can think of</p> <p>3 right now.</p> <p>4 Q. Were there certain times of the</p> <p>5 year that were busier than other times of</p> <p>6 the year?</p> <p>7 A. Yes.</p> <p>8 Q. What times of the year were</p> <p>9 busiest?</p> <p>10 A. I would say the summer was</p> <p>11 always a busy time. To me, that would be</p> <p>12 the busiest time.</p> <p>13 Q. So, summer would be the busiest</p> <p>14 period? What would be the less busy times</p> <p>15 of a year?</p> <p>16 A. Usually around holidays.</p> <p>17 Q. Do you know why that would be</p> <p>18 the case?</p> <p>19 A. Well, I know by claims volume.</p> <p>20 So, let's say at the time of the holidays</p> <p>21 or like the week of, it's not really that</p> <p>22 busy. But then once people would report</p> <p>23 the claims after, because maybe I am</p> <p>24 assuming they think that we were closed or</p> <p>25 something, then it would get busier.</p>
<p style="text-align: right;">Page 98</p> <p>1 M. Munoz</p> <p>2 Q. And were those individuals all</p> <p>3 field investigators?</p> <p>4 A. I believe so, at that time.</p> <p>5 Q. And when you say at that time,</p> <p>6 what time period are you referring to?</p> <p>7 A. From when I started SIU.</p> <p>8 Q. Up through what time</p> <p>9 approximately?</p> <p>10 A. Until 2022, '23.</p> <p>11 Q. So, these teams stayed in place</p> <p>12 through COVID; is that correct?</p> <p>13 A. Yes.</p> <p>14 Q. So, we were talking about how</p> <p>15 many claims you would handle per week, and</p> <p>16 you mentioned that it varied and it -- and</p> <p>17 that it fluctuated; is that correct?</p> <p>18 A. Correct.</p> <p>19 Q. So, were some weeks busier than</p> <p>20 other weeks?</p> <p>21 A. Yes.</p> <p>22 Q. What would that depend on?</p> <p>23 A. Volume of claims coming in.</p> <p>24 Staffing issues could be a reason.</p> <p>25 Q. Anything else?</p>	<p style="text-align: right;">Page 100</p> <p>1 M. Munoz</p> <p>2 Or people in claims might have</p> <p>3 been off, and now they come back, and now</p> <p>4 they need to -- they send a referral to get</p> <p>5 it assigned to SIU or something like that.</p> <p>6 Q. Is that the usual process of</p> <p>7 how claims come into SIU, through the</p> <p>8 claims department?</p> <p>9 A. Yes. A claim -- well, the</p> <p>10 usual process, yes. So, claims may find</p> <p>11 something and send a referral, and then</p> <p>12 the referral -- referral comes through and</p> <p>13 then it gets assigned.</p> <p>14 Q. How else do you receive claim</p> <p>15 files in SIU?</p> <p>16 A. Sometimes I get phone calls</p> <p>17 from police contacts, and they'll tell me</p> <p>18 that I may want to look at this claim.</p> <p>19 Sometimes -- I'm trying to think. That's</p> <p>20 pretty much -- oh, no.</p> <p>21 There's a database, like a</p> <p>22 system -- I don't know if I am using the</p> <p>23 right word -- that they use also which kind</p> <p>24 of gives the claim a score value in regard</p> <p>25 to whether they think it should be assigned</p>

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141-144

Page 141

1 M. Munoz
2 detail the conversations that you had with
3 Dara when she told you you needed to input
4 38.75 hours only per workweek?
5 A. I can't because I don't
6 remember it.
7 Q. Can you describe those
8 conversations with April?
9 A. I don't remember specific
10 conversations.
11 Q. What about with Gerry?
12 A. In regard to the inputting, the
13 7.75 per day, I don't remember an exact
14 conversation.
15 Q. Do you recall any exact
16 conversations with Tony about that?
17 A. No.
18 Q. Were any of these conversations
19 in written form, either through text or
20 e-mail?
21 A. Not that I can recall.
22 Q. Were they over the phone?
23 A. I don't remember how we would
24 have spoke about it.
25 Q. Do you remember if anyone else

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1 M. Munoz
2 was there when you had these conversations?
3 A. I don't recall.
4 Q. Do you recall what your
5 response was when you received those
6 instructions from your supervisors?
7 A. I just inputted the time as I
8 was told, which was 7.75 per day, 38.75,
9 right, for the week.
10 Q. Did you challenge that
11 instruction in any way?
12 A. Well, we voiced concerns,
13 meaning me and my co-workers, in regard to
14 that we weren't necessarily working those
15 hours.
16 Q. When did you voice those
17 concerns?
18 A. Team meetings sometimes we
19 would have with certain supervisors.
20 Sometimes we would have a meeting every few
21 months with the manager also where we all
22 got together, it would be brought up. And
23 those -- yeah, those would be the times.
24 Q. Were any of those
25 communications that you just talked about

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1 M. Munoz
2 in written form?
3 A. I'm sure there's something in
4 writing. Now, I have, at this point, put
5 in writing like I -- I asked for overtime,
6 at least a minimum of four times this year,
7 and I was told no.
8 Q. Who did you ask for overtime
9 this year?
10 A. Arineh Nazari.
11 Q. Do you recall when you sent
12 those communications?
13 A. Within approximately the last
14 six months.
15 Q. Were you asking for the
16 authority to work future overtime in those
17 conversations?
18 A. I was asking for either that
19 day or that week.
20 Q. Do you recall why Arineh told
21 you that you cannot work that overtime?
22 A. The first time, she told me it
23 was a taboo subject. Second, third, maybe
24 it was just do the best you can, just get
25 it done. And I believe -- I don't know,

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1 M. Munoz
2 because I didn't see the communication nor
3 hear it -- she asked management the last
4 time and was told that it wasn't, you know,
5 approved. Just do the best -- like get it
6 done, get your work done.
7 Q. So, after receiving her
8 responses, did you still go ahead and work
9 overtime?
10 A. No.
11 Q. And when you say management,
12 she reached out to management, who are you
13 talking about?
14 A. I -- I -- it's an assumption
15 because I don't know. But I -- I think she
16 would have asked Rene Cubas, who is my
17 manager.
18 Q. And how long has Rene been your
19 manager for?
20 A. Probably since '23 -- 2023.
21 Q. So, your -- just to go back in
22 time a little bit, your original manager
23 when you first started at SIU was
24 Michael DeGrocco, correct?
25 A. Correct.

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145-148

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1 M. Munoz
2 Q. Was there anyone in that role
3 between Michael DeGrocco and Bill Newport?
4 A. No. I believe it was
5 Mike DeGrocco, Bill Newport and then it
6 would become Rene in my tenure with SIU.
7 Q. And I just want to go back.
8 So, you talked about voicing
9 concerns in team meetings with team
10 supervisors, correct?
11 A. The supervisors would be
12 present, yes.
13 Q. Do you recall any other details
14 about when those meetings took place or who
15 was there?
16 A. Team meetings would be with
17 your section. And my section, you know,
18 changed sometimes, so I -- I couldn't say
19 who exactly was there. And then sometimes,
20 we would have full meetings with all of
21 SIU, supervisors and -- and management
22 present.
23 Q. When you say your section, what
24 do you mean by that?
25 A. So, a section would be who --

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1 M. Munoz
2 so if I reported to Gerry, it was whoever
3 was under Gerry. That is my section.
4 Q. Do you remember how many of the
5 full SIU meetings there were where these
6 complaints were raised?
7 A. I don't remember the exact
8 number. Maybe, on average, they held them
9 twice a year.
10 Q. And can you describe the
11 substance of what concerns were being
12 talked about in these meetings?
13 A. Well, they would start off in
14 regard to how we were doing, let's say, as
15 a department. And then when it came time
16 to voice concerns or questions, certain
17 investigators would voice their concerns
18 and say that we had too much work, we
19 couldn't get it done and we needed more
20 time to complete it or more people to do
21 the job.
22 Q. Which investigators are you
23 referring to?
24 A. I don't -- one instance that
25 stands in my mind is a guy named

Page 147

1 M. Munoz
2 Mark Giambalvo. He definitely was a
3 loudmouth, definitely voiced his opinion.
4 Q. Do you recall what position
5 Mark worked in?
6 A. Same as I, field investigator.
7 Q. And do you remember the
8 substance of what he said?
9 A. Not in totality, no.
10 Q. Do you remember the gist of
11 what he said in these meetings?
12 A. That we had too much work and
13 that it couldn't get done in the timeframe.
14 Q. Do you recall what the response
15 was?
16 A. Sometimes it was, okay, we'll
17 look into it, we'll see if we can hire
18 someone, do the best you can, we know you
19 guys are overworked.
20 Q. And who were the individuals
21 who were actually giving these responses
22 in --
23 A. It would be management such as
24 either Mike DeGrocco or Bill Newport.
25 These kind of things did not happen under

Page 148

1 M. Munoz
2 Rene.
3 Q. When you say these kind of
4 things, what do you mean?
5 A. Well, these kind of discussions
6 in regard to the workload. I mean, I've
7 only met with Rene two times. So, he
8 doesn't live in New York.
9 Q. Do you know where he lives?
10 A. Florida.
11 Q. So, is it fair to say that you
12 no longer directly report to someone who is
13 in New York?
14 MS. JEAN: Objection.
15 THE WITNESS: My supervisor is
16 in New York, but my manager is in
17 Florida.
18 BY MR. SLOTNICK:
19 Q. And this is in the current
20 organization of SIU?
21 A. Correct.
22 Q. If we look at paragraph seven
23 of Exhibit 5, it says, my regular schedule
24 for Geico is 7:00 a.m. to 3:30 p.m. I also
25 work approximately 1.5 hours each day in

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281-283

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3		
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18	PAGE LINE QUESTION	
19	(None)	
20		
21		
22		
23		
24		
25		

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1	M. Munoz	
2	C E R T I F I C A T E	
3		
4	STATE OF NEW YORK)
5		:
6	COUNTY OF RICHMOND)
7		
8	I, MARINA DUBSON, a Notary Public for	
9	and within the State of New York, do hereby	
10	certify:	
11	That the witness whose examination is	
12	hereinbefore set forth was duly sworn and	
13	that such examination is a true record of	
14	the testimony given by that witness.	
15	I further certify that I am not	
16	related to any of the parties to this	
17	action by blood or by marriage and that I	
18	am in no way interested in the outcome of	
19	this matter.	
20	IN WITNESS WHEREOF, I have hereunto	
21	set my hand this 17th day of December 2024.	
22		
23	<u>Marina Dubson</u>	
24	MARINA DUBSON	
25		

Page 283			
1	ERRATA SHEET		
2	WITNESS NAME: MARIA MUNOZ		
3	PAGE	LINE (s)	CHANGE REASON
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
10	_____	_____	_____
11	_____	_____	_____
12	_____	_____	_____
13	_____	_____	_____
14	_____	_____	_____
15	_____	_____	_____
16	_____	_____	_____
17	_____	_____	_____
18	_____	_____	_____
19	_____	_____	_____
20	_____	_____	_____
21	-----		
22	MARIA MUNOZ		
23	SUBSCRIBED AND SWORN BEFORE ME		
24	THIS ____ DAY OF _____, 20__.		
25	(NOTARY PUBLIC)	MY COMMISSION EXPIRES:	

